

**PATENT APPLICATION**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Docket No: 27866/34132B

**CONTINUING APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(B)**

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

This is a request under 37 CFR 1.53 for filing a

- ☐ continuation application.  
☒ divisional application.

**1. Particulars of Prior Application**

Application Serial No:	09/029,047
Filed on:	May 11, 1999
Title:	Cell-Cycle Checkpoint Genes
Art Unit:	1642
Examiner:	Nickol, Gary B.

---

**CERTIFICATION UNDER 37 CFR 1.10**

I hereby certify that this Divisional Application Transmittal and the documents referred to as enclosed therewith are being deposited with the United States Postal Service on **October 14, 2003**, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 utilizing the "Express Mail Post Office to Addressee" service of the United States Postal Service under Mailing Label No. EV 341 015 232 US.

  
Richard Zimmermann



2. This request is filed by:

1. Full Name of Inventor	Family Name Carr	First Given Name Antony	Second Given Name Michael
Residence & Citizenship	City Falmer	State or Foreign Country Brighton	Country of Citizenship United Kingdom
Post Office Address	Post Office Address MRC Cell Mutation Unit University of Sussex	City Falmer	State & Zip Code/Country Brighton, BN1 9RR

- ☐ This application is being filed by less than all the inventors named in the prior application. An accompanying statement requests deletion of the name(s) of the person(s) who are not inventors of the invention being claimed in this application.

3. Amendments

- ☒ Amend the specification by inserting before the first line the sentence:  
--This application is a divisional of U.S. Patent Application Serial No. 09/029,047, filed May 11, 1999, which claims priority of International Application No. PCT/GB96/02197, filed September 6, 1996, which claims priority of Great Britain Application No. 9518220.0, filed September 6, 1995.--
- ☒ Please cancel claims 1-17 in the prior application before calculating the filing fee.
- ☒ A Preliminary Amendment is enclosed.
- ☐ The filing fee is based upon entry of the foregoing amendment.

4. Copy of Prior Application

The enclosed is a copy of the prior complete application, including the specification (with claims), drawings, the oath or declaration, and any amendments referred to in the oath or declaration filed to complete the prior application.

5. Incorporation By Reference

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under paragraph 4, above, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

6. Priority

- ☐ Priority of application No. \_\_\_\_\_, filed on \_\_\_\_\_, in \_\_\_\_\_ is claimed under 35 USC 119.
- ☐ The certified copy was filed in prior U.S. application Serial No. 09/916,961.

7. Assignment

- ☒ The prior application is assigned of record to Icos Corporation and has been recorded at Reel No. 013878, Frame No. 0870.

8. **Small Entity Status**

- ☐ Verified statement(s) claiming small entity status is(are) attached.
- ☐ Small entity status has been established in the prior application and is still proper and desired

9. **Application to Be Published**

- ☒ Yes.
- ☐ No. A Request and Certification Under 35 U.S.C. §122(b)(2)(B)(i) is attached.

10. **Fee Calculation**

CLAIMS AS FILED - INCLUDING AMENDMENT(S) (IF ANY)						
			SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$385.00		\$770.00
TOTAL	2 - 20	= 0	X 9 =	\$0.00	X 18 =	0.00
INDEP.	2 - 3	= 0	X 42 =	\$0.00	X 84 =	0.00
First Presentation of Multiple Dependent Claim			+ 140 =	\$0.00	+ 280 =	\$0.00
Filing Fee:				\$385.00	OR	\$770.00

11. **Method of Payment of Fees**

- ☒ Attached is a check in the amount of: \$770.00
- ☐ Charge Deposit Account No. 13-2855 in the amount of: \_\_\_\_\_  
A copy of this Transmittal is enclosed.

12. **Correspondence Address**

Customer No.: 04743

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN LLP  
6300 Sears Tower  
233 South Wacker Drive  
Chicago, Illinois 60606-6357  
(312) 474-6300 (Telephone)  
(312) 474-0448 (Telefacsimile)

By:



Eric M. Brusca  
Reg. No. 52,664

October 14, 2003

Please type a plus sign inside this box → ☐

PTO/SB/21 (08-00)

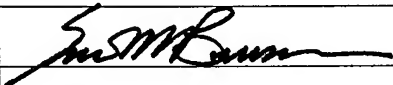
Approved for use through 10/31/2002. OMB 0651-0031

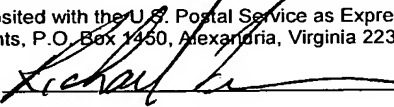
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<h1 style="text-align: center;">TRANSMITTAL FORM</h1> <p style="text-align: center;">(to be used for all correspondence after initial filing)</p>		Application Number	To be Assigned
		Filing Date	October 14, 2003 (Herewith)
		First Named Inventor	Antony M. Carr
		Group Art Unit	To be Assigned
		Examiner Name	To be Assigned
Total Number of Pages in This Submission	1	Attorney Docket Number	27866/34132B

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment/Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application)  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below)  <p style="text-align: center;">3<sup>1/2</sup> Floppy A Disk with sequence listing</p>
<div style="border: 1px solid black; padding: 5px; min-height: 100px;"> <div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;">Remarks</div> </div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual Name	Eric M. Brusca Marshall, Gerstein & Borun 233 S. Wacker Drive Chicago, Illinois 60606
Signature	
Date	October 14, 2003

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV341015232US, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date shown below.	
Dated: October 14, 2003	Signature:  (Richard Zimmermann)